

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

TONY BRUCE PRICE,

Plaintiff,

v.

ERIC WESTON,

Defendant.

No. C07-873RSL

ORDER VACATING ORDER TO
SHOW CAUSE AND ORDER
RESETTING REPORT AND
RECOMMENDATION

This matter comes before the Court on the Court's September 17, 2007 "Order to Show Cause" (Dkt. #11). On August 28, 2007, the Court issued an Order granting an extension of time to file objections to the Report and Recommendation (Dkt. #9). The Order was mailed to plaintiff, but was returned unopened on September 10, 2007, as plaintiff no longer resided at the address on file with the Court (Dkt. #10). Accordingly, on September 17, 2007, the Court issued the Order to Show Cause and directed the Clerk of Court to strike the Report and Recommendation from the Court's calendar and note a "Rule 41 dismissal proceeding" on the calendar for November 16, 2007 because of plaintiff's failure to keep the Court advised of his current address (Dkt. ##11, 12). The Order to Show Cause was returned as undeliverable (Dkt. #13).

On November 19, 2007, plaintiff filed a separate action in this judicial district, styled

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AND RECOMMENDATION

1 Price v. Muscatel, Case No. C07-1863RSM. In this new action, plaintiff reported his address
2 as:

3 Tony B. Price
4 308684
5 Washington Corrections Center
6 P.O. Box 900
7 Shelton, WA 98584

8 Based on this information, the Court VACATES the Order to Show Cause (Dkt. #11).
9 The Clerk of Court is directed to re-issue the Report and Recommendation (Dkt. #7) and mail it
10 to the address listed above.

11 Objections to the Report and Recommendation should be filed with the Clerk (*not* mailed
12 directly to Judge's chambers) and served on opposing parties within **twenty-one (21) days** of
13 the date of this Order. Failure to file objections within the specified time waives the right to
14 appeal any order by this Court adopting the Report and Recommendation. In accordance with
15 the Local Rules, any objections should be noted for consideration on the motion calendar for the
16 third Friday after they are filed. If no timely objections are filed, the matter will be ready for
17 consideration by this Court on **January 4, 2008**.

18 DATED this 27th day of November, 2007.

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20 Robert S. Lasnik
21 United States District Judge
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